

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA)
)
vs.) No. 3:18-CR-182
)
MELISSA RUSSELL)

ORDER

Magistrate Judge C. Clifford Shirley filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One, Count Two, and Count Twelve of the Indictment; (2) accept Defendant's plea of guilty to Count One, Count Two, and Count Twelve of the Indictment, that is, as to Count One, defendant plead guilty to the lesser included offense of Count One, being conspiracy to distribute and possess with intent to distribute one hundred (100) grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(B); as to Count Two, being conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h); and as to Count Twelve, being distribution of a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); (3) adjudicate Defendant guilty of the charges set forth in Count One, Count Two, and Count Twelve of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter [R. 170]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [R. 170] pursuant to 28 U.S.C. §

636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One, Count Two, and Count Twelve of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Count One, Count Two, and Count Twelve of the Indictment, that is, as to Count One, defendant plead guilty to the lesser included offense of Count One, being conspiracy to distribute and possess with intent to distribute one hundred (100) grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(B); as to Count Two, being conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h); and as to Count Twelve, being distribution of a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One, Count Two, and Count Twelve of the Indictment;
- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **May 27, 2020, at 11:00 a.m.** before the Honorable Pamela L. Reeves, United States District Judge.

SO ORDERED.


CHIEF UNITED STATES DISTRICT JUDGE